

In The United States Court of Federal Claims

No. 08-50T

(Filed: February 18, 2009)

TIMOTHY L. JENKINS,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On January 29, 2009, a status conference was held at which plaintiff expressed a desire to obtain and review the federal tax transcript of a third-party, Mr. Gary Puckrein. In lieu of this document, defendant had provided plaintiff with a IRC § 6103(e)(9) disclosure that was based on information contained in the transcript. On January 30, 2009, the court issued an order directing defendant to file a short memorandum detailing the government's position as to the court's ability to order an *en camera* inspection of the tax transcript itself. On February 13, 2009, defendant filed its memorandum, stating that the court does have authority to issue such an order pursuant to IRC § 6103(h)(4). Accordingly, on or before March 6, 2009, defendant shall provide to chambers, for *en camera* review, the transcript, as well as a declaration by an Internal Revenue Service official, explaining its contents.

IT IS SO ORDERED.

s/ Francis M. Allegra

Francis M. Allegra
Judge